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ABSTRACT

Information on institutions engaged in academic collective bargaining with recognized bargaining units in 1984 is presented. Attention is directed to agents elected, no-agent elections, decertifications, strikes, and legislation, and first contracts signed. 1984 was a year of stability with slight increases in academic collective bargaining. The number of contracts in place increased by 2, and the number of bargaining agents rose from 417 in 1983 to 429 in 1984. Both the number of recognized agents and collective bargaining agreements in place, as well as the total numbers of represented faculty, are at an all time high. The number of collective bargaining agreements in place is 395 signed contracts representing 830 campuses as of December 31, 1984. Several possible reasons for this increase include: greater effort in organizing activity by the three national unions, enactment of the 1984 enabling legislation in Ohio and Illinois, a rise in the number of middle-level administrators opting to bargain in separate units, and fewer no-agent and decertification votes. The greatest increase in unionization occurred in public institutions; union organizing in the private sector was virtually minimal. Several brief news notes on collective bargaining conclude this thematic newsletter. (SW)

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NEWSLETTER

National Center for the Study of Collective Bargaining in Higher Education and the Professions

Published at Baruch College . City University of New York . Vol 13 No. 1 Jan/Feb 1985

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UNIONIZATION AMONG COLLEGE FACULTY
January 1 - December 31, 1984

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NEWSLETTER
NATIONAL CENTER FOR THE STUDY OF COLLECTIVE BARGAINING IN HIGHER EDUCATION AND THE PROFESSIONS

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UNIONIZATION AMONG COLLEGE FACULTY
January 1 — December 31, 1984

INTRODUCTION

Increases in the number of recognized faculty bargaining agents and collective bargaining agreements in higher education albeit minimal in certain categories, are being viewed by observers as significant in light of the overall national trends which show a decrease in union membership and growth. While the number of negotiated contracts only increased by two, the number of bargaining agents rose by twelve. These new additions bring the total number of recognized faculty bargaining units to 429, the highest it has been since the National Center began keeping statistics in this area in 1974. Likewise, the number of collective bargaining agreements in place is also at an all-time high with 395 signed contracts representing 830 college campuses as of December 31, 1984.

Several suggestions have been offered for this increase, among them the following: a) greater effort in organizing activity by the three national unions, b) enactment of the 1984 enabling legislation in Ohio and Illinois, c) rise in the number of middle level administrators opting to bargain in separate units, and d) fewer "No-Agent" and decertification votes.

While the reasons for growth may vary from state to state, it is clear that college faculty are not rejecting collective bargaining as a means of regulating their employment relationships and, indeed, appear to be moving towards greater unionization even as the labor movement in the United States is undergoing a period of difficulty. This somewhat contradictory pattern of union growth in higher education in the midst of declining trade union membership on the national level is an unexpected development in need of further study.

The greatest increase in unionization occurred in public institutions where the number of recognized agents rose from 343 during 1984 to 355 by January 1985. As we have experienced during the past several years, union organizing in the private sector was virtually minimal. A complete statistical analysis of all faculty elections is presented in the "Summary of Elections - 1984" in this publication.

AGENTS ELECTED

The AFT won agent status in all six of the newly elected faculty bargaining units and is involved in a run-off election for agent status at the seventh. They were successful in securing representational rights at four community colleges, one school of design and one university system. Three of the newly unionized institutions are located in Illinois and may be among the first to organize under the provisions of the recently enacted Illinois Collective Bargaining Bill. Neither the AAUP nor the NEA was elected as the bargaining agent for any new faculty units. Both, however, were involved in other elections involving challenges to agent status and decertification attempts.

At Black Hawk College in Illinois, the faculty of 159 elected the AFT as their bargaining agent by a vote of 127 to 29 for "No-Agent." Also in Illinois, the faculty at Kankakee Community College chose the AFT as their agent by a vote of 30 AFT, 2 NEA and 23 "No-Agent." The unit size at Kankakee is 59. The third Illinois election involved the support staff at Moraine Valley Community College who elected the Cook County College Teachers Union/AFT by 81 votes to 32 for AFSCME, 21 for "No-Agent" with 23 challenged ballots. The support staff unit numbers 196. The three Illinois election victories for the AFT and their affiliates clearly demonstrate strength for faculty collective bargaining and the

TABLE OF CONTENTS

Unionization Among College Faculty..... p. 1
Summary of Elections - 1984..... p. 5
News and Notes..... p. 7
Thirteenth Annual Conference..... p. 8

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AFT in that state. It will be interesting to see if this support can be carried through to the Illinois four-year systems which are expected to conduct faculty elections sometime in 1985.

In another agent election, faculty at Cabrillo Community College, California, elected the CCFT/AFT as their bargaining agent defeating "No-Agent" in a run-off election 181-132. In the initial election, the 402 unit members split their vote 145 for the CCFT/AFT, 115 "No-Agent" and 73 NEA. In an election which necessitated a yet to be resolved run-off, the adjunct faculty at Portland Community College, Oregon, chose collective bargaining defeating "No-Agent" by a vote of 199 for NEA, 198 for AFT and 184 for "No-Agent." The unit size is approximately 600.

In the four-year institutions, adjunct faculty at Parsons School of Design, New York, elected the Parsons Faculty Federation/AFT by a vote of 99 to 92 for "No-Agent" with 4 challenged votes. The Parsons unit is approximately 200 part-time faculty members, the full-time faculty having been dropped from the unit over a stipulation relating to Yeshiva-type litigation. At the University of California system, the lecturers unit of some 1,877 elected the AFT over "No-Agent" by a vote of 707-447. This marks the fourth unit of professionals in the University of California system to elect a bargaining agent, however, only one of the four involves teaching faculty.

The number of agents in four-year institutions now stands at 138 with 76 in public institutions and 62 in the private sector. Among the two-year colleges, there are 291 agents with 279 in the public sector and 12 in the private sector. At present, there are 34 bargaining units with certified agents who have not yet negotiated their initial contract.

"NO-AGENT" ELECTIONS

Only one "No-Agent" election was reported during 1984, making this the lowest number in this grouping since the Center first started amassing this data. The faculty at Miami-Dade Junior College rejected collective bargaining by a vote of 408 for "No-Agent" to 293 for the AFT. This marked the second time that faculty at this college have rejected unionization, the AFT having been defeated previously in 1975. The size of the bargaining unit in this most recent election was 761.

Analysis of this one "No-Agent" election is difficult; while proponents of faculty unionization might be tempted to use Miami-Dade as a sign that faculty support for unionization, with this one exception, is gaining, it is still only one indicator that must be carefully viewed in the larger context. If "No-Agent" elections continue to decline, then perhaps it may signal a stronger commitment for faculty organizing or a more careful selection by faculty unions as to which campuses they chose to commit their resources to.

DECERTIFICATIONS

Two Yeshiva-related decertifications were reported in 1984. The long-awaited decisions in Boston University and Polytechnic Institute were decided in 1984 with both cases resulting in favorable decisions for management. In Boston University, the AAUP chapter which represented some 860 faculty members was decertified after being the bargaining agent since 1975. That case is currently on appeal to the National Labor Relations Board. The last agreement expired in August of 1984. In Polytechnic, the AAUP unit of 220 members was decertified after serving as the bargaining agent since 1971. Their last agreement expired in 1980.

No faculty bargaining agents were decertified for reasons other than Yeshiva. It is also interesting to note that the number of new claims relating to the Yeshiva decision has virtually ceased. It is expected that future decertifications over this issue will be limited to claims already in the NLRB pipeline.

Five additional decertifications were attempted by competing labor organizations. Three resulted in the incumbent agents defeating the challengers. In the other two, the existing agents lost agent status. In the largest, and clearly the most significant election in terms of membership and publicity, the NEA affiliate in Florida, the United Faculty of Florida (UFF) successfully defeated the AFT/AAUP affiliate, the Florida Acadmic Congress (FAC) challenge by a vote of 2,423 to 1,270. The UFF/NEA maintained their bargaining rights for the 6,186 members of the bargaining unit in the nine-campus State University System of Florida. The UFF had previously been affiliated with the AFT until 1982 when it was dechartered. At that time, it affiliated with the NEA. This election should bring an end to the long representational agent struggle among the three national unions for bargaining rights in the Florida system.

In two other decertification attempts, the AFT defeated the NEA and maintained bargaining agent status. In the College of San Mateo, California, the AFT continued as the agent for the 953 bargaining unit members by a vote of 364 for the AFT, 271 for the NEA and 11 "No-Agent." The AFT had been the bargaining agent at San Mateo since 1982 when it defeated the NEA. The NEA had been the original bargaining agent, having been first elected in 1977. At Orange Coast College in California, the AFT defeated a challenge by the NEA by a vote of 262 to 168 and 27 "No-Agent."

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In two other elections, challenging agents were successful in unseating incumbents At Simon's Rock of Bard College, Massachusetts, the AAUP was replaced by the AFT by a vote of 18-3 with 4 "No-Agent" votes. The unit size at Simons Rock is 30. At West Shore Community College in Michigan, the NEA won bargaining rights for the unit of 30 from an independent union by defeating "No-Agent" by a vote of 19-6.

STRIKES AND LEGISLATION

Strikes

Nine strikes were reported in academe during calendar year 1984; 3 took place during the spring semester 1984, while 6 were classified as fall semester 1984 back-to-school strikes. The spring semester strikes included job actions at Henry Ford Community College, Taylor Business Institute, and Lincoln University. Unlike most of the 1984 strikes, the strikes at Lincoln and Taylor were of several weeks duration; the Lincoln strike ran for 13 days, while the strike at Taylor lasted for 27 days.

Five of the 6 fall back-to-school strikes occurred at public community colleges. The faculties at Burlington C.C., Morton College, Kellogg C.C., Thornton C.C. and Carl Sandburg College all engaged in work stoppages. With the exception of the strike at Morton, the others were all of less than one week's duration. The only fall strike involving a four-year institution occurred at Western Michigan University where the AAUP local engaged in a four-day strike. It is interesting to note that with the exception of the Burlington stoppage, the other fall strikes occurred in the midwest; 4 in Illinois and 1 in Michigan. This may reflect the unique economic problems confronting that area or may be attributable to other factors.

While the number of strikes increased from 3 in 1983 to 9 in 1984, they are still considered a rarity in academic collective bargaining. For a complete analysis of work stoppages in higher education, the reader is referred to NCSCBHEP Newsletter, Vol. 11, No. 5. For an analysis of the 1984 strike scene, see NCSCBHEP Newsletter, Vol. 12, No. 4.

Legislation

For the fifth time in the past six years, no new enabling legislation was enacted. Bills supporting collective bargaining for college faculty were introduced in several states including Maryland, Wisconsin, Colorado and Washington. For a complete listing of the status of public sector collective bargaining legislation, see Table Eight of the Directory.

DEMOGRAPHIC ANALYSIS

Calculation of a statistical measure representing total unionized faculty and institutions is a difficult task at best. No consensus exists as to the number of faculty since, to a large extent, they are a fluid and mobile group. Indeed, when one attempts to include adjunct faculty, as we have, the task becomes even more difficult. Certain bargaining units represent both adjuncts and full-time faculty and data is often not available. Determining the number of institutions in the country is a somewhat easier task, however, time lags are encountered. For purposes of this project, we used data compiled by the National Center for Educational Statistics, (NCES) in Washington, DC. For numbers of unionized faculties and institutions, we used our own database. The time frames involved are as follows: a) number of U.S. colleges - NCES data for 1983-'84 academic year effective January 1985, b) total faculty - NCES data for fall 1984 estimated as of January 1985, c) number of unionized institutions and bargaining units effective December 31, 1984, and d) number of unionized faculty as reflected in unit size effective December 31, 1984. Using the mixed databases as described above, our statistics in this portion can only be used as estimates; however, until such time as the reporting processes improve and the time lags shorten, we will continue to rely on them as the best available data.

Thirteen percent of the 3,284 colleges and universities in the United States are unionized with recognized bargaining agents elected at these institutions. NCSCBHEP statistics show that there are 429 recognized bargaining agents covering 830 campuses (as an example, the CUNY contract is counted as one agent, one contract, and 20 campuses, the SUNY agreement is also tabulated as one agent, one contract and 34 campuses). Using the 830 number as a derivative of the 3,284, i.e., both numbers reflecting individual campuses and not systemwide units, NCSCBHEP statistics show that 25% of the nation's colleges and universities are unionized.

With respect to unionized faculty, NCES reports approximately 700,000 total faculty in our nation's colleges and universities as of fall 1984. NCSCBHEP's statistics show 191,616 faculty belonging to unionized bargaining units as of the same date resulting in 27.3% of faculty covered by collective bargaining agreements. When this category is further broken down into faculty teaching at public and private institutions, a noticeable distinction is evident. Of the 506,000 faculty teaching at public institutions, 182,163 are covered by collective bargaining agreements. This 36% of unionized faculty in the public sector is sharply contrasted with the 4.8% unionization rate of college faculty at private institutions. NCSCBHEP statistics show 9,453 faculty out of 194,000 faculty at private institutions as being covered by unionization. With respect to two-year

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versus four-year institutions, 36% of the 202,000 junior and community college faculty (72,909), are covered by union agreements. With respect to four-year faculty, 118,707 of the 498,000 faculty employed at four-year colleges (23.8%), are covered by labor agreements.

Although the Directory includes data pertaining to Canadian universities, these statistics reflect only American colleges and universities.

FIRST CONTRACTS SIGNED

The identification of "first contracts signed" is a difficult task due to the time period involved in the negotiations of an initial agreement. Time lags of considerable length are often encountered from the date of the certification of the bargaining agent to the actual conclusion of the contract negotiations process. It is interesting to note that of the four "first contracts" signed in 1984, all had elected agents in previous years.

At the University of Nebraska at Omaha, the AAUP negotiated a collective bargaining agreement for the 400-member unit. A previous salary agreement had been in place since 1981, however with the negotiation of this initial agreement, a complete contract governs the employment relationship. The AFT which represents 401 librarians at the University of California systemwide negotiated their initial agreement. The unit has been certified since 1983. At Imperial Valley College, California, the CTA/NERA negotiated an agreement for 77 faculty members while at Southern Oregon State College, the summer faculty signed their first labor contract.

SUMMARY AND CONCLUSIONS

The year 1984 may be viewed as one of stability with slight increases in academic collective bargaining. While the number of contracts in place increased by 2, the agent change from 417 in 1983 to 429 in 1984 is viewed as significant in light of the difficulty organized labor is experiencing in organizing and electing new bargaining agents. The three national faculty unions appear to have given higher education organizing a new and more viable commitment than it has enjoyed in the past several years which accounts, in part, for the increase in recognized agents.

Both the number of recognized agents and collective bargaining agreements in place, as well as total numbers of represented faculty, are at an all time high. These numbers are expected to grow as unions in Ohio and Illinois increase their organizing activities under the protections of the newly enacted legislation. In both states, faculty unions have petitioned for agent elections, a process that takes several months to wind its way through the system. If additional enabling legislation is passed in other states, then future organizing drives can be expected.

The gap between the private sector and public sector continues to widen as virtually all organizing and growth can be found among public institutions. This trend is expected to continue. The decision in Yeshiva shows no sign of being reversed and unless the faculty unions can devise a strategy for bypassing the decision, then future organizing and growth in the private sector appears bleak.

While no public merger discussions among the three national unions are evident, the number of existing joint affiliations among local bargaining units might lead to speculation that certain jurisdictional arrangements may be negotiated that would lead to less direct competition for bargaining rights.

Thus we saw in 1984 a major concentration in organizing faculty at public sector institutions, an effort that was in large part successful. The number of newly elected agents, when contrasted with the single "No-Agent" vote is indicative of faculty sentiment towards collective bargaining. For those who forecast the demise of academic collective bargaining, clearly that prediction has not come to pass; but then neither has the prediction that faculty would organize in large numbers as other groups before them have. Whatever the future, interest in the unionized professor continues to be widespread.

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SUMMARY OF ELECTIONS - 1984

A. AGENTS ELECTED

Institution	State	Unit Size	Vote	Agent Elected	2/4 Year
Black Hawk College	IL	159	127 - AFT 29 - No Agent	AFT	2
Cabrillo Community College	CA	402	145 - CCFT/AFT 115 - No Agent 73 - NEA $181 - AFT $132 - No Agent	CCFT/AFT	2
Kankakee Community College	IL	59	30 - AFT 2 - NEA 23 - No Agent	AFT	2
Moraine Valley Community College oSupport Staff	IL	196	81 - CCCTU/AFT 32 - AFSCME 21 - No Agent 23 - Challenged ballots	CCCTU/AFT	2
Y*Parson's School of Design	NY	200	99 - AFT 92 - No Agent 4 - Challenged ballots	AFT	4
Portland Community College oPart-time Faculty	OR	800	199 - NEA 198 - AFT 184 - No Agent $217 - NEA $202 - AFT $ 39 - Challenged ballots	Still Pending	2
University of California Lecturers	CA	1,877	707 - AFT 447 - No Agent	AFT	4

$Run-off elections

B. CHANGE IN AGENT STATUS

Institution	State	Unit Size	Vote	Former Agent	New Agent	2/4 Year
Y*Simon's Rock of Bard College	MA	30	18 - AFT 3 - AAUP 4 - No Agent	AAUP	AFT	4
West Shore Community College	MI	35	19 - NEA 6 - No Agent	IND.	NEA	2

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SUMMARY OF ELECTIONS - 1984 - Continued

C. "NO-AGENT" VOTES

Institution	State	Unit Size	Vote	Agent Defeated	2/4 Year
Miami-Dade Junior College	FL	761	293 - AFT 408 - No Agent	AFT	2

D. AGENTS DECERTIFIED

Institution	State	Unit Size	Vote	Agent Decertified	2/4 Year
Y*Boston University	MA	860	N/A	AAUP	4
Y*Polytechnic Institute of New York	NY	220	N/A	AAUP	4

E. CHALLENGE TO AGENT STATUS

Institution	State	Unit Size	Bargaining Agent	Challenging Agent	Vote	2/4 Year
Florida State University System	FL	6,186	UFF/NEA	FAC/AAUP/AFT	2,423 - UFF/NEA 1,270 - FAC/AAUP/AFT 1,057 - No Agent	4
Orange Coast College	CA	662	AFT	CSEA/NEA	262 - AFT 168 - NEA 27 - No Agent	2
San Mateo Community College District	CA	953	AFT	NEA	364 - AFT 271 - NEA 11 - No Agent	2

F. FIRST CONTRACTS SIGNED IN 1984

Institution	State	Unit Size	Agent	2/4 Year
Imperial Valley Community College	CA	77	CTA/NEA	2
Southern Oregon State College oSummer Staff	OR	Approx. 100	IND.	4
University of California oLibrarians	CA	401	AFT	4
University of Nebraska - Omaha	NE	400	AAUP	4

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NEWS AND NOTES

Seminar Series:

1984-1985: Two umbrella themes were selected for the 1984-85 Seminar Series: "Collective Bargaining Update" and "Legal Issues in Collective Bargaining." The seminar on Collective Bargaining featured a discussion by advocates and attendees on the current major issues encountered at the bargaining table. Included were topics on wage bargaining and job security. Registrants had an opportunity to engage in discussions with selected panel members.

The seminar on Legal Issues featured presentations by three experienced attorneys who shared their views concerning employment-at-will, peer review, and discrimination. Also participating were labor and management practitioners who discussed the implication of the current case law on the individual campus. Both seminars were well received and well attended.

1985-1986: Plans are currently going forward for the 1985-86 Seminar Series. The Center welcomes suggestions for particular topics that you would like us to address under the same umbrella titles used in the previous seminars: "Collective Bargaining Update" and "Legal Issues in Collective Bargaining." The seminars, which will be held at Baruch College in the late fall and early winter, will consist of two one-day sessions. Further information will be forthcoming from the Center.

National Center Library Launches Search for "Fugitive Documents":

The NCSCBHEP Library is a small but highly specialized collection of documents and contracts relating to academic collective bargaining. We would like to increase our collection of "fugitive documents," i.e., union newsletters, brochures, materials from both labor and management relating to organizing drives, strike informations sheets, and any other similar materials used on a local level. We believe that the Center's Library can serve as a depository for such materials making it available for the next generation of researchers and scholars. The next time that you are in the process of cleaning out your desk and files and come across such materials, please keep us in mind.

On the Move:

Gerie Bledsoe from Director of Collective Bargaining Services, AAUP to Coordinator of Higher Education, NEA.

Samuel Ranhand, Professor of Management, Baruch College and member of the NCSCBHEP Faculty Advisory Committee has informed us of his retirement. Professor Ranhand will continue to serve as a member of the Center's Faculty Advisory Committee. He will also continue his long-term contributions to the field of labor management relations by his service as a mediator and arbitrator.

Publications:

The 1985 Directory is currently available from the National Center. Center members will receive their copy as part of the publication series. Others interested in purchasing a copy should contact the Center - Price $15.00.

PSC Review . . .

Those involved in the arbitration process might find the Center's newest publication the Professional Staff Congress Review of Arbitrations and Digest of Selected Related Issues of interest. This latest tool in collective bargaining contains arbitration awards and case analyses of the CUNY/PSC experience. Topics covered by these cases include: evaluation, academic freedom, discrimination, presidential reasons and retrenchment. Copies are available for $25.00 each ($20.00 each for members) from the National Center.

Call for Papers:

The Center is interested in publishing original research in collective bargaining in higher education in monograph form. If you are currently working on a research project that might lend itself to such publication, please contact us.

BRAIN:

An extraordinary research tool of the National Center, BRAIN, is available to practitioners involved in negotiating contracts, researchers, students and libraries at a nominal cost. This computerized program, consisting of the major contracts in unionized colleges and universities, is based on a system of frequency distributions. In conjunction with this program, actual contract language is also available. A coding manual is available from the Center for $4.00.

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- Faculty Perspective on Achieving Excellence
- A Chancellor's Perspective on Achieving Excellence
- Excellence: The Leadership Factor
- Employment Discrimination Issues
- Bargaining in Community Colleges
- Management Rights and Governance in the Unionized Institution
- Retirement Issues in Academic Collective Bargaining
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